THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.1962 of 2000

Dated: 05.06.2006

Between:

Md. Shaik Adam, S/o Meer Hussain, working as Senior Driver – E.53772, A.P. State Road Transport Corporation, Narasaraopet Depot, Narasaraopet, Guntur District.

.... PETITIONER

AND

The Regional Manager, A.P. State Road Transport Corporation, Guntur.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.1962 of 2000

Order:

The petitioner joined as a Driver in the respondent-Corporation on 09.06.1975 at Chirala, Prakasam District, Ongole Division. In the year 1978, at his request, the petitioner was transferred from Chirala to Narsaraopet Depot of Guntur Division. The grievance of the petitioner is that the respondent-Corporation, ignoring his seniority from the date of his joining into service i.e., 09.06.1975, promoted his juniors to the posts of Traffic Inspectors, Grade-III. Hence, he filed the present writ petition.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and admitted to by the learned Standing Counsel for the respondent-Corporation that the subject matter of this writ petition is squarely covered by a Division Bench judgment of this Court passed in W.A. No. 1391 of 1998, dated 19.12.2000, and they both agreed to dispose of the writ petition on the same terms.

A Division Bench of this Court, in W.A. No. 1391 of 1998, dated 19.12.2000, observed that even if an employee is transferred at his own request, from one place to another on the same post, the period of service rendered by him at the earlier place where he held a permanent post and had acquired permanent status, cannot be excluded from consideration for determining his eligibility for promotion, though he has been placed at the bottom of the seniority list at the transferred place.

Having regard to the facts and circumstances of the case and in

view of the agreed stand taken by both the parties, the writ petition is disposed of in terms of the judgment in W.A. No. 1391 of 1998, dated 19.12.2000. No costs.

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N.V. RAMANA, J.

Date: 05.06.2006
Nsr/Ksr